

# Romaine, LaValle, Murray and Kepert Call on NYDEC to End "MulchMare" in Middle Island

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**Farmingville, NY** - on April 6, Brookhaven Supervisor Ed Romaine, NYS Senator Ken LaValle, Assemblyman Dean Murray and Councilwoman Connie Kepert called on the New York State DEC to regulate commercial mulch and compost facilities during a press conference held today. The press conference took place just yards away from Swezey Farm Nursery, the facility that residents have dubbed "MulchMare," where the Town of Brookhaven conducted an enforcement raid in August of 2013 after residents complained about a mountain of stinking mulch that towers over their back yards. Brookhaven officials issued multiple violations, and the Town is pursuing action against the owners in court. The facility was also the site of a large fire in December 2013 that threatened the homes in the surrounding area.

Pictured front row, left to right are Assemblyman Murray, Senator LaValle, Councilwoman Kepert, Middle Island Civic Association (MICA) Vice President Gail Lynch-Bailey, MICA member Tom Talbot, Judy Talbot, homeowner S. Terri Gianetti and Supervisor Ed Romaine with local residents standing just a few yards from "MulchMare."

Currently, the processing of mulch is not subject to NYS Dept. of Environmental oversight. Within the Town of Brookhaven, there are several large scale commercial mulching facilities, which generate numerous complaints from residents, citing smell, noise, unsightly conditions and other nuisance issues. Certain facilities have even had fires caused by spontaneous combustion of massive mulch piles.

Towns are limited by law to enforce such violations through their Zoning Code, and have very little power to control the operation of a commercial mulching facility. The power to regulate an Organic Waste Processing Facility is within the purview of the New York State Department of Environmental Conservation.

"Illegal mulch operations threaten the health and safety of all the residents in the community and they have lived with this one in Middle Island long enough," said Supervisor Romaine. "It's time for the DEC to take appropriate action now and regulate mulching facilities so unscrupulous operators can be closed down. I thank our state elected officials for their support and look forward to working closely with them to improve the quality of life of the people who live nearby this facility and other mulching operations in Brookhaven Town."

Senator Ken LaValle said, "It's critically important that we maintain the character of our neighborhoods, and protect our resident's health and preserve our environment. I am asking the Commissioner of the Department of Environmental Conservation to review, revise, and tighten the existing regulations and oversight that govern waste and mulch, so people can enjoy living in their homes."

"Having the DEC regulate mulch operations such as this is a common sense solution to a problem that has plagued a number of our residents because facilities such as this have slipped through the cracks of our laws," said Assemblyman Dean Murray, who represents the Middle Island community. "I worked closely with former Senator Lee Zeldin to have the DEC implementing these amendments before Superstorm Sandy struck three years ago. Clearly it is time to revisit this issue again."

Assemblyman Steve Englebright said, "Clearly, the composting and mulching of leaves and other vegetation play an important role in reducing our waste stream. However, when large-scale mulching operations begin to seriously impact the health and safety of residents in surrounding communities, the regulations that govern these activities need to be updated."

"For months, the mulch operation on Swezey Lane has negatively impacted the quality of life and health of the surrounding residents. On behalf of the residents of Council District 4, as well as the Town of Brookhaven as a whole, I urge the DEC to regulate commercial mulch and compost facilities," stated Councilwoman Kepert. "Regulation of this kind is necessary in order to ensure that residents experience a certain quality of life and are kept safe from the potential hazards caused by these facilities."

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